

REMARKS

Applicant wishes to thank Examiner Alam for the telephone interview so courteously granted to the undersigned attorney on October 5. It was agreed that Applicant's rebuttal arguments to the §103(a) rejection should be presented in writing in this response for consideration by the Examiner.

In response to the Examiner's requirement, Applicant has inserted a new title which is identical to that suggested by the Examiner.

Applicant requests the Examiner to reconsider and withdraw the objection to claim 3 in view of the above corrective amendment to claim 3.

Applicant respectfully **traverses** the rejection of claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by Fukuda '346.

Such a rejection requires that Fukuda '346 disclose, either expressly or inherently, each limitation of each of claims 1 and 2, or in other words, that each of claims 1 and 2 be readable on Fukuda's disclosure. Applicant respectfully submits that clearly such is **not** the case here with respect to amended claims 1 and 2, and with respect to any of the other claims 3-7.

More specifically, and even assuming *arguendo* the correctness of the Examiner's analysis of Fukuda's disclosure, Fukuda clearly does **not** disclose, or even suggest, the claimed "**second** conversion lens, and means for replacing said first conversion lens with said second conversion lens," as now required by independent claim 1 and its dependent claims 2-6. Furthermore, Fukuda does not disclose or suggest: the (new) claim 7 limitation, "wherein said

first and second housings are slidably connected together"; the new claims 8-10 limitations requiring "a third conversion lens", and these lenses being "discrete elements physically and optically separate from each other", or the new claims 11-14 limitations which find support in Applicant's specification and drawings at least at: page 5, lines 21-27; page 7, lines 17-23; page 8, lines 13-19; page 9, lines 5-7; and FIG. 2.

Thus, since it is clear that none of the presently pending claims 1-14 is readable on Fukuda, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 102(e).

Applicant also respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 103(a) based on non-patentability (obviousness) over Fukuda in view of Sladen '767, insofar as this rejection may be applied to the presently pending claims 1-14.

Even assuming, *arguendo*, that Sladen teaches, "wherein the focal length of the camera (read as image pickup device) can be converted by selecting one of the **mirrors**," Sladen does **not** disclose, or even suggest, the claims 1-14 limitations requiring "a first housing and a second housing which are movably connected to each other," and "wherein in a first state where the first housing and the second housing are laid on each other, the image pickup device and the conversion lens have an identical optical axis so that . . .". Even though Applicant recognizes that Examiner Alam must read Applicant's disclosure in order to examine the claimed invention, Applicant respectfully submits that the Examiner's proposal "to incorporate the teachings of Sladen with those of Fukuda . . ." could be based only on the prohibited use of hindsight (based

on the knowledge of Applicant's own disclosure) to reconstruct Fukuda to produce the structure in any of claims 1-14, or structure which would have rendered claims 1-14 obvious.

In this regard, the Examiner (improperly) reads Applicant's claimed conversion **lenses** on Sladen's convex **mirrors**. Convex mirrors and Applicant's claimed conversion lenses are not equivalents for the purposes of anticipation or obviousness. Since convex **mirrors** are mechanically difficult to arrange along an optic axis and also cause a distorted image, Applicant respectfully submits that one of ordinary skill in the art hardly would combine Fukuda with Sladen to replace Fukuda's convex lenses with Sladen's mirrors.

Therefore, since the Fukuda/Sladen combination does not disclose, or even suggest, **all** of the limitations of each of claims 1-14, Applicant respectfully requests the Examiner also to reconsider and withdraw the rejection under 35 U.S.C. § 103(a) insofar as this rejection may be applied to the presently pending claims 1-14.

In summary, then, Applicant respectfully requests the Examiner to reconsider and withdraw all requirements, objections and rejections, and to find the application to be in condition for allowance with all of claims 1-14; however, if for any reason the Examiner feels that the application is **not** now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Filed concurrently herewith is a Petition (with fee) for an Extension of Time of one month. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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